

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-6309-Cr-Seitz

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH RUSSO,

Defendant.

**MOTION TO DISCHARGE BOND**

COMES NOW the defendant, JOSEPH RUSSO, by and through his undersigned counsel, pursuant to the provisions of Rule 47 of the Federal Rules of Criminal Procedure, and respectfully requests this Court to discharge the **One Hundred Fifty Thousand (\$150,000.00) Dollar** corporate surety bond posted in this case on **August 30, 2001**. In support of this request, undersigned counsel states as follows:

1. On August 30, 2001, Magistrate Judge William C. Turnoff allowed the Defendant to be released upon the posting of a One Hundred Fifty Thousand (\$150,000.00) Dollar Corporate Surety Bond. The Defendant posted the bond premium by pledging property and assets of family members and friends, under Receipt Numbers FB3018 and AS 100 802244, attached hereto and made a part hereof as Exhibit "A".

*United States of America v. Joseph Russo, et al,*  
Case No. 00-6309-Cr-Seitz

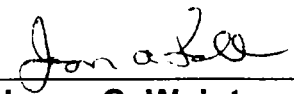

2. The Defendant surrendered to the Federal Bureau of Prisons in Eglin, Florida in August, 2002.

3. In all respects, the terms and conditions of the Corporate Surety Bond previously posted by the Defendant on August 30, 2001 have been met or otherwise fulfilled.

WHEREFORE, based on the foregoing, the Defendant respectfully requests this Court discharge or otherwise exonerate the Corporate Surety Bond previously posted by the Defendant on August 30, 2001, and order that the property pledged as collateral as a condition of the Appearance Bond, be released.

Respectfully submitted,

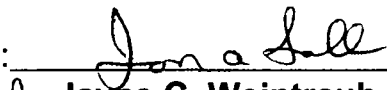
**JAYNE C. WEINTRAUB, P.A.**  
100 S. E. 2nd Street, Suite 3550  
Miami, Florida 33131  
Telephone: 374-1818

BY   
 **Jayne C. Weintraub, Esq.**  
**Florida Bar No. 320382**

*United States of America v. Joseph Russo, et al,*  
Case No. 00-6309-Cr-Seitz

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was delivered this 27 day of August, 2003 to: Brian McCormick, Esq., Assistant United States Attorney, United States Attorney's Office, 99 N.E. 4th Street, Miami, Florida 33131.

By:   
Jayne C. Weintraub, Esq.

kbnd.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA  
Plaintiff,

FILED BY                     

v.

01 SEP -5 PM 1:07

APPEARANCE BOND:

CASE NO.: 00-6309-CI-Sett2

Defendant,

CLARENCE MADDOX  
CLERK U.S. DIST. CT.  
S.D. OF FL. MIAMI

Joseph Russo

I, the undersigned defendant and I or we, the undersigned sureties jointly and severally acknowledge that we and our personal representatives, jointly and severally, are bound to pay to the United States of America, the sum of

\$ 150,000 CS

**STANDARD CONDITIONS OF BOND**

The conditions of this bond are that the defendant:

1. Shall appear before this court and at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in this case, including appearance for violation of a condition of the defendant's release as may be ordered or notified by this court or any other United States District Court to which the defendant may be held to answer or the cause transferred. The defendant is to abide by any judgment entered in such matter by surrendering to serve any sentence imposed and obeying any order or direction in connection with such judgment. This is a continuing bond, including any proceeding on appeal or review, which shall remain in full force and effect until such time as the court shall order otherwise.

2. May not at any time, for any reason whatever, leave the Southern District of Florida or other District to which the case may be removed or transferred after he or she has appeared in such District pursuant to the conditions of this bond, without first obtaining written permission from the court, except that a defendant ordered removed or transferred to another district may travel to that district as required for court appearances and trial preparation upon written notice to the Clerk of this court or the court to which the case has been removed or transferred. The Southern District of Florida consists of the following counties: Monroe, Dade, Broward, Palm Beach, Martin, St. Lucie, Indian River, Okeechobee, and Highlands.

3. May not change his or her present address as recorded on this bond without prior permission in writing from the court. The defendant's present address is:

11255 S.W. 93<sup>rd</sup> COURT Miami, FL 33176

4. Is required to appear in court at all times as required by notice given by the court or its clerk to the address on this bond or in open court or to the address as changed by permission from the court. The defendant is required to ascertain from the Clerk of Court or defense counsel the time and place of all scheduled proceedings on the case. In no event may a defendant assume that his or her case has been dismissed unless the court has entered an order of dismissal.

5. Shall not commit any act in violation of state or federal laws

DISTRIBUTION: Defendant, Assistant U.S. Attorney, Counsel, Marshal, Pretrial Services

ATTACHMENT / EXHIBIT 1

DEFENDANT: Russio, Joseph  
CASE NUMBER: 00-6309-CR Setty  
PAGE TWO

**SPECIAL CONDITIONS OF BOND**

In addition to compliance with the previously stated conditions of bond, the defendant must comply with the special conditions checked below:

- ☒ a. Surrender all passports and travel documents, if any, to the Pretrial Services Office and not obtain any travel documents during the pendency of the case;
- ☒ b. Report to Pretrial Services as follows: ( ) as directed or 1 times in person and 3 times by telephone; <sup>per week</sup>
- ☐ c. Submit to substance abuse testing and/or treatment as directed by Pretrial Services;
- ☐ d. Refrain from excessive use of alcohol, or any use of a narcotic drug or other controlled substance, as defined in section 102 of the Controlled Substances Act (21 U.S.C. § 802), without a prescription by a licensed medical practitioner;
- ☐ e. Participate in mental health assessment and/or treatment;
- ☐ f. Participate and undergo a sex offense specific evaluation and treatment;
- ☒ g. Maintain or actively seek full-time employment;
- ☐ h. Maintain or begin an educational program;
- ☒ i. Avoid all contact with victims of or witnesses to the crimes charged, except through counsel;
- ☐ j. Refrain from possessing a firearm, destructive device or other dangerous weapons;
- ☐ k. None of the signatories may sell, pledge, mortgage, hypothecate, encumber, etc., any property they own, real or personal, until the bond is discharged, or otherwise modified by the Court;
- ☐ l. May not visit commercial transportation establishment: airports, seaport/marinas, commercial bus terminals, train stations, etc.;
- ☒ m. No access to the internet via any type of connectivity device (i.e. computers, pda's, cellular phones, tv's), and follow instructions as outlined in the attached agreement waiver provided to you by Pretrial Services;
- ☒ n. **HOME CONFINEMENT PROGRAM** The defendant shall participate in one of the following home confinement program components and abide by all the requirements of the program which ( ) will not or (X) will include electronic monitoring or other location verification system, paid for by the defendant based upon his/her ability to pay (X) or paid for by Pretrial Services ( ).
- Curfew: You are restricted to your residence every day from \_\_\_\_\_ to \_\_\_\_\_ or as directed by the Court.
- Home Detention: You are restricted to your residence at all times except for: ( ) medical needs or treatment, ( ) court appearances, ( ) attorney visits or court ordered obligations, and ( ) other \_\_\_\_\_.
- ☐ o. **HALFWAY HOUSE PLACEMENT** The defendant shall reside at a halfway house or community corrections center and abide by all the rules and regulations of the program.  
You are restricted to the halfway house at all times except for: ( ) employment; ( ) education; ( ) religious services; ( ) medical, substance abuse, or mental health treatment; ( ) attorney visits; ( ) court appearances; ( ) court ordered obligations; ( ) reporting to Pretrial Services; and ( ) other \_\_\_\_\_.
- ☐ p. May travel to and from: \_\_\_\_\_ and must notify Pretrial Services of travel plans before leaving and upon return.
- ☒ q. Comply with the following additional conditions of bond:  
No phones in home except primary which is wire taped; no faxed, no emails

DEFENDANT: Russo, Joseph  
CASE NUMBER: 00-6309-CR-5612

**PENALTIES AND SANCTIONS APPLICABLE TO SURETIES**

Violation by the defendant of any of the foregoing conditions of release will result in an immediate obligation by the surety or sureties to pay the full amount of the bond. Forfeiture of the bond for any breach of one or more conditions may be declared by a judicial officer of any United States District Court having cognizance of the above entitled matter at the time of such breach, and if the bond is forfeited and the forfeiture is not set aside or remitted, judgement may be entered upon motion in such United States District Court against each surety jointly and severally for the amount of the bond, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and other laws of the United States.

**SIGNATURES**

I have carefully read and I understand this entire appearance bond consisting of three (3) pages, or it has been read to me, and, if necessary, translated into my native language, and I know that I am obligated by law to comply with all of the terms of this bond. I promise to obey all conditions of this bond, to appear in court as required, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions outlined in this bond for violations of the terms of the bond.

If I am an agent acting for or on behalf of a corporate surety, I further represent that I am a duly authorized agent for the corporate surety and have full power to execute this bond in the amount stated.

**DEFENDANT**

Signed this 30<sup>th</sup> day of AUGUST, 2001, at Miami-Dade, Florida.  
Signed and acknowledged before me:  
WITNESS: Michael A. Ronca  
ADDRESS: 9719 South Dixie Highway S/2  
Miami, Florida ZIP 33156  
DEFENDANT: (Signature) [Signature]  
ADDRESS: 11255 S.W. 93<sup>rd</sup> COURT  
Miami, Florida ZIP 33176  
TELEPHONE: 305/235-5552

**CORPORATE SURETY**

Signed this 30<sup>th</sup> day of AUGUST, 2001, at Miami-Dade, Florida.  
SURETY: Ronca Bail Bonds, Inc.  
ADDRESS: 9719 South Dixie Hwy.  
Miami, FL ZIP 33156  
AGENT: (Signature) [Signature]  
PRINT NAME: Michael A. Ronca  
TELEPHONE: 305/666-6667

**INDIVIDUAL SURETIES**

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_  
SURETY: (Signature) \_\_\_\_\_ SURETY: (Signature) \_\_\_\_\_  
PRINT NAME: \_\_\_\_\_ PRINT NAME: \_\_\_\_\_  
RELATIONSHIP \_\_\_\_\_ RELATIONSHIP \_\_\_\_\_  
TO DEFENDANT: \_\_\_\_\_ TO DEFENDANT: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ ADDRESS: \_\_\_\_\_  
ZIP \_\_\_\_\_ ZIP \_\_\_\_\_  
TELEPHONE: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

**APPROVAL BY COURT**

Date: 8/30/01

UNITED STATES MAGISTRATE JUDGE

DISTRIBUTION: Defendant, Assistant U.S. Attorney, Counsel, Marshal, Pretrial Services

**FIRST COMMUNITY INSURANCE COMPANY**  
P.O. Box 15707, Suite 1320 ■ St Petersburg, FL 33733  
**FEDERAL POWER OF ATTORNEY**  
**FB 3018**

IT IS UNLAWFUL TO PRINT THIS FORM WITH-  
OUT WRITTEN CONSENT OF HOME OFFICE.

KNOW ALL MEN BY THESE PRESENTS: that First Community Insurance Company, a corporation duly organized and existing under the laws of the State of New York, has made pursuant to Article IV, Section 2 of the By-Laws, which was adopted by the Directors of the said company, and is now in effect, does constitute and appoint, and by these presents does make, constitute and appoint below named agent its true and lawful Attorney-in-Fact for it and in its name, place and stead, to execute, seal and deliver for and on its behalf and as its act and deed, as surety, a bail bond only. Authority of such Attorney-in-Fact is limited to appearance bonds and cannot be construed to guarantee defendant's future lawful conduct, adherence to travel limitation, fines, restitution, payments or penalties, or any other condition imposed by a court not specifically related to court appearance.

This power of Attorney is for use with Bail Bonds only. Not valid if used in connection with Federal Immigration Bonds. This power void if altered or erased, void if used with other powers of this company or in combination with powers from any other surety company, void if used to furnish bail in excess of the stated face amount of this power, and can only be used once. THE OBLIGATION OF THE COMPANY SHALL NOT EXCEED THE SUM OF THIS STATED FACE AMOUNT, AND PROVIDED THIS Power of Attorney is filed with the bond and retained as a part of the court records. The said Attorney-in-Fact is hereby authorized to insert in this Power of Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, FIRST COMMUNITY INSURANCE COMPANY has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this 30<sup>th</sup> day of AUGUST 2001

**FIRST COMMUNITY INSURANCE  
COMPANY**

Bond Amount \$ 75,000 Appearance Date \_\_\_\_\_  
Defendant Ruwo, Joseph S.S.# \_\_\_\_\_  
Date of Birth 05/29/46  
Court So. District City Miami State FL  
Offense Case # 00-6309-cr-6172  
Executing Agent Richard A. [Signature]

FOR FEDERAL USE ONLY  
NOT VALID IF USED IN STATE COURT

**FEDERAL POWER OF ATTORNEY**

THE LIABILITY OF THE  
COMPANY SHALL NOT EXCEED

VOID IF NOT USED BEFORE

DEC 31 01



THE FACE OF THIS DOCUMENT HAS A COLORED SECURITY BACKGROUND AND WATER MARKING. THE REVERSE SIDE OF THIS DOCUMENT HAS A WATER MARK.

**POWER AMOUNT** \$100,000 **POWER OF ATTORNEY** **AS100 802244**  
**American Surety Company**  
d/b/a American Underwriters Surety Company  
P.O. Box 66932, Indianapolis, IN 46266

KNOW ALL MEN BY THESE PRESENTS: that AMERICAN SURETY COMPANY d/b/a American Underwriters Surety Company, a corporation duly authorized and existing under the laws of the State of California, does constitute and appoint the below named agent its true and lawful Attorney-in-Fact for it and in its name, place and stead, to execute, and deliver for and on its behalf as surety, a bail bond only.  
Authority of such Attorney-in-Fact is limited to appearance bonds. No authority is provided herein for the execution of surety immigration bonds or to guarantee attorney payments, fines, wage law claims or other payments of any kind on behalf of below named defendant. The named agent is appointed only to execute the bond consistent with the terms of this power of attorney. The agent is not authorized to act as agent for receipt of service of process in any criminal or civil action.  
This power is void if altered or amended or used in any combination with other powers of attorney of this company or any other company to obtain the release of the defendant named below or to satisfy any bond requirement in excess of the stated face amount of this power. This power can only be used once. The obligation of the company shall not exceed the sum of

ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS  
and provided this Power-Of-Attorney is filed with the bond and retained as a part of the court records. The said Attorney-in-Fact is hereby authorized to insert in this Power-Of-Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, AMERICAN SURETY COMPANY d/b/a American Underwriters Surety Company has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this 30 day of AUG 2001

Bond Amount \$ 25,000 Appearance Date                       
Defendant: JOSEPH RUSSO  
Court: SO. DISTRICT Case # 00 6309 CR SE  
County: DADE City: MIAMI St: FL Zip:                       
Offense:                       
Executing Agent:                     

AMERICAN SURETY COMPANY  
d/b/a American Underwriters Surety Company  
SEAL  
Chief Executive Officer ASC-FL-SG  
*[Signature]*



DEFENDANT: JOSEPH RUSSO  
CASE NUMBER: 00-6309-CN-SE172

**PENALTIES AND SANCTIONS APPLICABLE TO SURETIES**

Violation by the defendant of any of the foregoing conditions of release will result in an immediate obligation by the surety or sureties to pay the full amount of the bond. Forfeiture of the bond for any breach of one or more conditions may be declared by a judicial officer of any United States District Court having cognizance of the above entitled matter at the time of such breach, and if the bond is forfeited and the forfeiture is not set aside or remitted, judgement may be entered upon motion in such United States District Court against each surety jointly and severally for the amount of the bond, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and other laws of the United States.

**SIGNATURES**

I have carefully read and I understand this entire appearance bond consisting of three (3) pages, or it has been read to me, and, if necessary, translated into my native language, and I know that I am obligated by law to comply with all of the terms of this bond. I promise to obey all conditions of this bond, to appear in court as required, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions outlined in this bond for violations of the terms of the bond.

If I am an agent acting for or on behalf of a corporate surety, I further represent that I am a duly authorized agent for the corporate surety and have full power to execute this bond in the amount stated.

**DEFENDANT**

Signed this 30 day of AUGUST 2001, at \_\_\_\_\_, Florida.  
Signed and acknowledged before me: \_\_\_\_\_  
WITNESS: \_\_\_\_\_  
ADDRESS: 1133 SE 3 AVE.  
FT LAUD FL ZIP 33316  
DEFENDANT: (Signature) \_\_\_\_\_  
ADDRESS: 11255 SW 93 CT.  
MIAMI FL ZIP 33176  
TELEPHONE: 305-235-5552

**CORPORATE SURETY**

Signed this 30 day of AUGUST 2001, at \_\_\_\_\_, Florida.  
SURETY: AMERICAN SURETY COMPANY  
ADDRESS: 1133 SE 3 AVE.  
FT. LAUD FL ZIP 33316  
AGENT: (Signature) \_\_\_\_\_  
PRINT NAME: EDUARDO ALMEIDA  
TELEPHONE: 954-467-8888

**INDIVIDUAL SURETIES**

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_  
SURETY: (Signature) \_\_\_\_\_ SURETY: (Signature) \_\_\_\_\_  
PRINT NAME: \_\_\_\_\_ PRINT NAME: \_\_\_\_\_  
RELATIONSHIP \_\_\_\_\_ RELATIONSHIP \_\_\_\_\_  
TO DEFENDANT: \_\_\_\_\_ TO DEFENDANT: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ ADDRESS: \_\_\_\_\_  
ZIP \_\_\_\_\_ ZIP \_\_\_\_\_  
TELEPHONE: \_\_\_\_\_ TELEPHONE: \_\_\_\_\_

**APPROVAL BY COURT**

Date: 8/30/01

UNITED STATES MAGISTRATE JUDGE

DISTRIBUTION: Defendant, Assistant U.S. Attorney, Counsel, Marshal, Pretrial Services